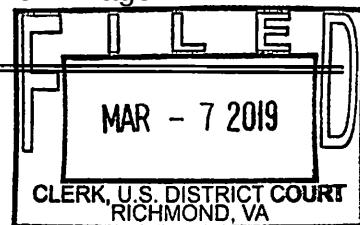


UNITED STATES DISTRICT COURT

for the



In the Matter of the Search of
 (Briefly describe the property to be searched
 or identify the person by name and address)

839 Young Avenue, Petersburg, VA 23803

Case No. 3:19 SW95

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

located in the Eastern District of Virginia, there is now concealed (identify the person or describe the property to be seized):
 see Attachment A

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
 Title 18 U.S.C 922(d)(1)

Offense Description
 Sell Firearm to Convicted Felon

The application is based on these facts:
 See attached affidavit

☐ Continued on the attached sheet.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Special Agent Lindsey Bates

Printed name and title

Sworn to before me and signed in my presence.

Date:

March 7, 2019

City and state:

Richmond, Virginia

/s/

David J. Novak

United States Magistrate Judge

Judge's signature

Printed name and title

IN THE MATTER OF THE SEARCH OF:
839 YOUNG AVE
PETERSBURG, VA 23803

Case No.3:19SW95

UNDER SEAL

AFFIDAVIT IN SUPPORT OF SEARCH AND SEIZURE WARRANT

I, Lindsey Bates, being duly sworn, depose and state as follows:

I. AFFIANT BACKGROUND AND EXPERIENCE

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been since March 2014. I am a graduate of the Federal Law Enforcement Training Center (FLETC) and the ATF Special Agent Basic Training Academy. I received specialized training concerning violations of the Gun Control Act within Title 18 and the National Firearms Act within Title 26, of the United States Code pursuant to firearms violations. I am a duly sworn agent who is authorized to carry firearms, execute warrants, and make arrests for offenses against the United States and to perform such other duties as authorized by law. Prior to joining the ATF, I was a police officer and detective with the Richmond Police Department, in Richmond, Virginia for seven years, which included two years as a detective with the department's Special Investigations Division, Narcotics Unit.

2. I have participated in the preparation and execution of numerous arrest and search warrants for criminal offenses involving the possession with the intent to distribute controlled substances and illegal possession of firearms. I am familiar with the methods drug and firearms traffickers use to conduct their illegal activities, to include communication methods, vehicles, text messaging, and narcotics and firearms transactions. I received specialized training in narcotics identification, detection, and trafficking, as well as participated in multiple narcotics distribution interdiction assignments with state and local law enforcement jurisdictions.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

II. REQUESTED SEARCH WARRANT

4. I submit this affidavit in support of an application for a search warrant for the residence of Armon LEE, located at 839 Young Ave., Petersburg, VA, 23803, and structures within the curtilage (hereinafter listed as the "SUBJECT LOCATION").

5. Based upon the facts set forth herein, I submit that there is a federal Indictment for LEE, and that the SUBJECT LOCATION, as described in Attachment A, contains and will contain the items as described in Attachment B.

6. All information contained in this affidavit, from whatever source derived, is either personally known to me or has been related to me by other sworn law enforcement personnel.

This affidavit is not intended to include each and every fact and matter observed by me or known to the government.

III. PROBABLE CAUSE

7. On March 5, 2019, a Grand Jury in the EDVA issued a sealed federal indictment charging ARMON LEE, with seventeen separate counts of trafficking narcotics and firearms in violation of Title 21 U.S.C. Section 841(a)(1) and Title 18 U.S.C Section 922(d)(1).

8. Previously, on February 12, 2019, United States Magistrate Judge David J Novak, United States District Court for the Eastern District of Virginia, authorized a GPS and cell site data warrant (case no. 3:19sw53) for the cell phone known to be associated with LEE. During the time frame of February 19, 2019, through March 7, 2019, the location-based electronic communications data was active and revealed that during the coverage on LEE's target phone, geolocation data and cell site tower information for the phone placed it in the vicinity of 839 Young Ave, Petersburg,

VA, every night between the approximate hours of 10:00 PM to 6:00 AM, with the exception of March 3, 2019. (On March 3, 2019, LEE arrived at the SUBJECT LOCATION at 6:00 am).

Location-based electronic communications data collected by law enforcement, pursuant to an Order issued by the Honorable David J. Novak, United States Magistrate Judge for the Eastern District of Virginia, corroborates that LEE resides at the SUBJECT LOCATION.

9. On February 25, 2019, investigators with ATF conducted surveillance on the SUBJECT LOCATION. At approximately 6:32 p.m., LEE was observed exiting a blue vehicle displaying Virginia registration UXE-7936, and then entering the front door of the SUBJECT LOCATION.

10. On March 4, 2019, investigators with ATF conducted surveillance on the SUBJECT LOCATION. At approximately 12:37 p.m., LEE was observed exiting a white work van displaying Virginia registration TW269-627, also displaying the signage "Repairs 4 U." LEE then entered the front door of the SUBJECT LOCATION.

11. On March 7, 2019, federal agents with ATF executed a federal arrest warrant for Armon LEE at the SUBJECT LOCATION. Armon LEE was present. During the sweep for officer safety, agents observed a firearm in the corner of a bedroom and a firearm underneath the bed. This room was identified by LEE's father as ARMON LEE's room. In addition, a female who identified herself as ARMON LEE's girlfriend/mother of his child stated that the room belonged to them and that she had no knowledge of the firearms.

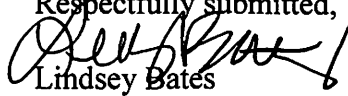
12. During the protective sweep, agents also detected the odor of marijuana inside the residence.

13. LEE has sold more than twenty firearms to an individual he knew or had cause to believe had been previously convicted of a crime punishable by a term of incarceration exceeding one year between May 2018 and November 2018.

IV. CONCLUSION

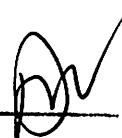
14. Based on the facts outlined above, I submit there is probable cause to believe that inside the SUBJECT LOCATION, as described in Attachment A, additional firearms will be found.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Respectfully submitted,

Lindsey Bates
Special Agent
Bureau of ATF

Subscribed to and sworn before me this 7TH day of March 2019

Reviewed and Approved by AUSA Angela Mastandrea-Miller 


/s/
David J. Novak
United States Magistrate Judge

ATTACHMENT A

PLACE TO BE SEARCHED

The SUBJECT LOCATION, known and described as 839 Young Ave, Petersburg VA 23803 is a two-story residence that is brick in composition, with grey vinyl siding around the front entrance. The numeric “839” is clearly visible located to the right of the front door, displaying “839” diagonally in black numbering. There are windows located to the left and to the right of the front door. The front door is white in color, with a window at the top of the door.

ATTACHMENT B

ITEMS TO BE SEIZED

1. Books, records, receipts, notes, ledgers, and other papers including any computerized or electronic records including cellular telephones, relating to the transportation, ordering, purchase and distribution of firearms.
2. Address and/or telephone books and papers, including computerized or electronic address and/or telephone records reflecting names, addresses and/or telephone numbers.
3. Books, records, receipts, bank statements, and records, money drafts, letters of credit, money order and cashier's checks, receipts, pass books, bank checks, safety deposit box keys and any other items evidencing the obtaining, secreting, transfer, concealment, storage and/or expenditure of money or other assets, or any and all documents relating to residence.
4. Safes (to include lock boxes, gun safes, and strong boxes).
5. Indicia of occupancy, residence, and/or ownership of the premises described herein, including, but not limited to, utility and telephone bills, cancelled envelopes, and keys.
6. Cellular telephones and pagers and records and receipts reflecting ownership and use.
7. Firearms, including, but not limited to, firearms parts, accessories, holsters, and ammunition.